IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE THIRTIETH DAY OF DECEMBER
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE V.ESWARAIAH

WRIT PETITION No. 28004 of 2005

Between:

Raj Kumar

..... PETITIONER

AND

The Station House Officer,

(Inspector of Police)

Vanasthalipuram Police Station,

Ranga Reddy District

.....RESPONDENT

ORDER:

Seeking a Mandamus, declaring the action of the respondent in not taking action on the complaint dated 17.12.2005 given by the petitioner, as illegal and arbitrary, the present writ petition is filed.

Heard the learned counsel for the petitioner and the learned Government Pleader for Home.

The petitioner submits that he was allotted a plot bearing No.9 in block No.15 at Autonagar, Ranga Reddy District in 1982 by the A.P.Industrial Infrastructure Corporation Limited and since then he has been carrying on his business activities therein. While so, on 13.12.2005 at 7 a.m. when he was returning home after visiting the Karmanghat Hanuman Temple on his Scooter, four persons stopped him on the

road and threatened him to cut his head and hands if he enters plot No.9, Autonagar. Though he did not care on 13.12.2005 about the said threatening, on 15.12.2005 somebody put an iron tin blocking the main entrance near the wall of his plot and on that tin a contact telephone number as 93464 53389 and contact name as Syed Yousuf were given. When he contacts the said telephone, same threatening was continuing and therefore, the petitioner made a complaint before the respondent on 17.12.2005, but no action was taken by the respondent so far.

I am of the opinion that when a report was made before the officer incharge of the police station, it is for him to look into the said report and take a decision whether to register a crime or not if the allegations contained in the said report discloses prima facie case of a cognizable offence against any person, or otherwise lodge the same. Without taking any action, the respondent cannot maintain silence.

Having regard to the facts and circumstances of the case, the respondent is directed to take a decision on the report/complaint filed by the petitioner on 17.12.2005, and register the same, if the allegations therein made out any prima facie cognizable offence, or otherwise, lodge the same, and communicate the fate of the complaint to the petitioner, within a period of two weeks from the date of receipt of a copy of this order.

With the above observations, the Writ Petition is disposed of. No order as to costs.

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V.ESWARAIAH,J

Dated: 30.12.2005

Dsr